

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

March 8, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>HF 619</u>	<u>H-8199</u>	Filed	MAXWELL of Poweshiek
<u>HF 2252</u>	<u>H-8214</u>	Filed	HUNTER of Polk
<u>HF 2252</u>	<u>H-8224</u>	Filed	WESSEL-KROESCHELL of Story
<u>HF 2252</u>	<u>H-8225</u>	Filed	HUNTER of Polk
<u>HF 2252</u>	<u>H-8226</u>	Filed	MASCHER of Johnson
<u>HF 2252</u>	<u>H-8227</u>	Filed	OURTH of Warren
<u>HF 2252</u>	<u>H-8228</u>	Filed	OLSON of Polk
<u>HF 2252</u>	<u>H-8229</u>	Filed	HUNTER of Polk
<u>HF 2252</u>	<u>H-8231</u>	Filed	MASCHER of Johnson
<u>HF 2252</u>	<u>H-8232</u>	Filed	HUNTER of Polk
<u>HF 2252</u>	<u>H-8233</u>	Filed	HUNTER of Polk
<u>HF 2252</u>	<u>H-8234</u>	Filed	MASCHER of Johnson
<u>HF 2350</u>	<u>H-8204</u>	Filed	MOORE of Cass
<u>HF 2372</u>	<u>H-8192</u>	Filed	HALL of Woodbury
<u>HF 2372</u>	<u>H-8193</u>	Filed	NIELSEN of Johnson
<u>HF 2372</u>	<u>H-8210</u>	Filed	CARLSON of Muscatine

HF 2372	H-8219	Filed	CARLSON of Muscatine
HF 2384	H-8209	Filed	BOSSMAN of Woodbury
HF 2401	H-8196	Filed	OLSON of Polk
HF 2401	H-8197	Filed	OLSON of Polk
HF 2401	H-8208	Filed	JONES of Clay, et al
HF 2430	H-8213	Filed	FISHER of Tama
HF 2430	H-8221	Filed	OLSON of Polk
HF 2434	H-8207	Filed	DOLECHECK of Ringgold
HF 2435	H-8230	Filed	NUNN of Polk
HF 2442	H-8205	Filed	WHEELER of Sioux
HF 2443	H-8203	Filed	BALTIMORE of Boone
HF 2462	H-8220	Filed	HEATON of Henry, et al
HF 2465	H-8201	Filed	BALTIMORE of Boone
HF 2465	H-8217	Filed	BALTIMORE of Boone
HF 2468	H-8211	Filed	SEXTON of Calhoun
SF 220	H-8198	Filed	KAUFMANN of Cedar
SF 475	H-8200	Filed	WESSEL-KROESCHELL of Story
SF 475	H-8216	Filed	WINCKLER of Scott, et al
SF 481	H-8202	Filed	COMMITTEE ON PUBLIC SAFETY, et al
SF 2099	H-8212	Filed	GUSTAFSON of Madison
SF 2113	H-8206	Filed	MOORE of Cass

<u>SF 2155</u>	<u>H-8195</u>	Filed	COMMITTEE ON STATE GOVERNMENT, et al
<u>SF 2169</u>	<u>H-8218</u>	Filed	BAUDLER of Adair
<u>SF 2169</u>	<u>H-8222</u>	Filed	MEYER of Polk
<u>SF 2169</u>	<u>H-8223</u>	Filed	MEYER of Polk
<u>SF 2200</u>	<u>H-8215</u>	Filed	BAXTER of Hancock
<u>SF 2306</u>	<u>H-8194</u>	Filed	COMMITTEE ON STATE GOVERNMENT, et al

Fiscal Notes

[HF 2446](#) — [Utilities Board, Statutory Changes](#) (LSB5328HV)

HOUSE FILE 619

H-8199

1 Amend House File 619 as follows:

2 1. Page 1, by striking lines 10 and 11 and inserting
3 <department to be reasonably competitive with fees established
4 in other public parks or recreation areas that provide the same
5 or similar privileges and are located within thirty miles of
6 the perimeter of the state park or recreation area for which
7 the department is establishing fees. Such fees may be>

By MAXWELL of Poweshiek

H-8199 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8214

- 1 Amend House File 2252 as follows:
- 2 1. Page 3, before line 19 by inserting:
- 3 <Sec. _____. NEW SECTION. 49.129 Voter education.
- 4 The secretary of state shall provide voter education
- 5 programs in each county in the state designed to inform
- 6 voters regarding voting laws, including voter registration and
- 7 identification requirements.>
- 8 2. By renumbering as necessary.

By HUNTER of Polk

H-8214 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8224

1 Amend House File 2252 as follows:
2 1. Page 2, before line 25 by inserting:
3 <Sec. _____. Section 48A.10A, subsection 1, Code 2018, is
4 amended to read as follows:
5 1. The state registrar shall compare lists of persons who
6 are registered to vote with the department of transportation's
7 driver's license and nonoperator's identification card files
8 and shall, on an initial basis, issue a voter identification
9 card to each active, registered voter whose name does not
10 appear in the department of transportation's files so
11 long as the names are not completely identical. The voter
12 identification card shall include the name of the registered
13 voter, a signature line above which the registered voter shall
14 sign the voter identification card, the registered voter's
15 identification number assigned to the voter pursuant to section
16 47.7, subsection 2, and an additional four-digit personal
17 identification number assigned by the state commissioner.>
18 2. By renumbering as necessary.

By WESSEL-KROESCHELL of Story

H-8224 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8225

- 1 Amend House File 2252 as follows:
- 2 1. By striking page 1, line 9, through page 5, line 9.
- 3 2. Title page, by striking lines 1 through 6 and inserting
- 4 <An Act relating to the safe at home program.>

By HUNTER of Polk

H-8225 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8226

1 Amend House File 2252 as follows:

2 1. Page 1, before line 9 by inserting:

3 <Sec. _____. Section 22.7, subsections 72 and 73, Code 2018,
4 are amended by striking the subsections.>

5 2. Page 1, before line 28 by inserting:

6 <Sec. _____. Section 48A.2, subsection 5, Code 2018, is
7 amended by striking the subsection.>

8 3. Page 2, by striking lines 13 through 16 and inserting

9 ~~<Before signing an oath under this paragraph, the attesting~~
10 ~~registered voter shall present to the precinct election~~
11 ~~official proof of the voter's identity, as described in section~~
12 ~~49.28, subsection 2. The registered voter's oath shall>~~

13 4. Page 2, before line 25 by inserting:

14 <Sec. _____. Section 48A.38, subsection 1, paragraph f, Code
15 2018, is amended to read as follows:

16 *f.* The county commissioner of registration and the state
17 registrar of voters shall remove a voter's whole or partial
18 social security number, as applicable, ~~voter identification~~
19 ~~number assigned by the state commissioner,~~ Iowa driver's
20 license number, or Iowa nonoperator's identification card
21 number from a voter registration list prepared pursuant to this
22 section.

23 Sec. _____. Section 49.53, subsection 1, Code 2018, is amended
24 to read as follows:

25 1. The commissioner shall not less than four nor more than
26 twenty days before the day of each election, except those for
27 which different publication requirements are prescribed by law,
28 publish notice of the election. The notice shall contain a
29 facsimile of the portion of the ballot containing the first
30 rotation as prescribed by section 49.31, subsection 2, and
31 shall show the names of all candidates or nominees and the
32 office each seeks, and all public questions, to be voted upon
33 at the election. The sample ballot published as a part of the
34 notice may at the discretion of the commissioner be reduced in
35 size relative to the actual ballot but such reduction shall

1 not cause upper case letters appearing in candidates' names or
2 in summaries of public measures on the published sample ballot
3 to be less than nine point type. The notice shall also state
4 the date of the election, the hours the polls will be open,
5 ~~that each voter is required to provide identification at the~~
6 ~~polling place before the voter can receive and cast a ballot,~~
7 the location of each polling place at which voting is to occur
8 in the election, and the names of the precincts voting at each
9 polling place, but the statement need not set forth any fact
10 which is apparent from the portion of the ballot appearing as
11 a part of the same notice. The notice shall include the full
12 text of all public measures to be voted upon at the election.

13 Sec. _____. Section 49.77, subsection 1, unnumbered paragraph
14 1, Code 2018, is amended to read as follows:

15 The board members of their respective precincts shall have
16 charge of the ballots and shall furnish them to the voters
17 ~~after verifying each voter's identity pursuant to section~~
18 ~~49.78.>~~

19 5. By striking page 2, line 25, through page 3, line 18.

20 6. Page 3, before line 19 by inserting:

21 <Sec. _____. Section 49.124, subsection 3, Code 2018, is
22 amended by striking the subsection.>

23 7. Page 4, before line 16 by inserting:

24 <Sec. _____. Section 53.2, subsections 1 and 4, Code 2018, are
25 amended to read as follows:

26 1. a. Any registered voter, under the circumstances
27 specified in section 53.1, may on any day, except election
28 day, ~~and not more than one hundred twenty days prior to the~~
29 ~~date of the election,~~ apply in person for an absentee ballot
30 at the commissioner's office or at any location designated by
31 the commissioner. However, for those elections in which the
32 commissioner directs the polls be opened at noon pursuant to
33 section 49.73, a voter may apply in person for an absentee
34 ballot at the commissioner's office from 8:00 a.m. until 11:00
35 a.m. on election day.

1 *b.* A registered voter may make written application to the
2 commissioner for an absentee ballot. A written application
3 for an absentee ballot must be received by the commissioner no
4 later than 5:00 p.m. on the same day as the voter registration
5 deadline provided in section 48A.9 for the election for which
6 the ballot is requested, except when the absentee ballot is
7 requested and voted at the commissioner's office pursuant to
8 section 53.10. ~~A written application for an absentee ballot~~
9 ~~delivered to the commissioner and received by the commissioner~~
10 ~~more than one hundred twenty days prior to the date of the~~
11 ~~election shall be returned to the voter with a notification of~~
12 ~~the date when the applications will be accepted.~~

13 4. *a.* Each application shall contain the following
14 information:

15 (1) The name and signature of the registered voter.

16 (2) The registered voter's date of birth.

17 (3) The address at which the voter is registered to vote.

18 ~~(4) The registered voter's voter verification number.~~

19 ~~(5)~~ (4) The name or date of the election for which the
20 absentee ballot is requested.

21 ~~(6)~~ (5) Such other information as may be necessary to
22 determine the correct absentee ballot for the registered voter.

23 *b.* If insufficient information has been provided, ~~including~~
24 ~~the absence of a voter verification number,~~ either on the
25 prescribed form or on an application created by the applicant,
26 the commissioner shall, by the best means available, obtain
27 the additional necessary information. ~~A voter requesting~~
28 ~~or casting a ballot pursuant to section 53.22 shall not be~~
29 ~~required to provide a voter verification number.~~

30 ~~*c.* For purposes of this subsection, "voter verification~~
31 ~~number" means the registered voter's driver's license number~~
32 ~~or nonoperator's identification card number assigned to the~~
33 ~~voter by the department of transportation or the registered~~
34 ~~voter's identification number assigned to the voter by the~~
35 ~~state commissioner pursuant to section 47.7, subsection 2.>~~

1 8. Page 5, before line 3 by inserting:

2 <Sec. _____. Section 53.22, subsection 8, Code 2018, is
3 amended by striking the subsection.

4 Sec. _____. Section 53.25, subsection 1, paragraph b, Code
5 2018, is amended by striking the paragraph.

6 Sec. _____. Section 53.25, subsection 2, Code 2018, is amended
7 to read as follows:

8 2. If the absentee ~~or provisional~~ ballot is rejected prior
9 to the opening of the affidavit envelope or return envelope
10 marked with the affidavit, the voter casting the ballot shall
11 be notified by a precinct election official by the time the
12 canvass is completed of the reason for the rejection on a form
13 prescribed by the state commissioner of elections.

14 Sec. _____. Section 53.45, subsection 1, paragraph b, Code
15 2018, is amended to read as follows:

16 ~~b. The application for a special absentee ballot shall not~~
17 ~~be filed earlier than one hundred twenty days prior to the~~
18 ~~general election.~~ The special absentee ballot shall list the
19 offices and measures, if known, scheduled to appear on the
20 general election ballot. The eligible elector may use the
21 special absentee ballot to write in the name of any eligible
22 candidate for each office and may vote on any measure.>

23 9. Page 5, before line 8 by inserting:

24 <Sec. _____. REPEAL. Sections 48A.10A and 49.78, Code 2018,
25 are repealed.

26 Sec. _____. APPLICABILITY. This Act applies to elections held
27 on or after the effective date of this Act.>

28 10. Title page, line 5, after <date> by inserting <and
29 applicability>

30 11. By renumbering, redesignating, and correcting internal
31 references as necessary.

By MASCHER of Johnson

HOUSE FILE 2252

H-8227

1 Amend House File 2252 as follows:

2 1. Page 4, line 35, after <transportation> by inserting <,
3 the last four digits of the registered voter's social security
4 number,>

By OURTH of Warren

H-8227 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8228

1 Amend House File 2252 as follows:

2 1. Page 3, before line 19 by inserting:

3 <Sec. ____ NEW SECTION. 49.129 Identification requirements
4 **— signs at polling locations.**

5 Each polling location shall post a sign informing voters
6 that each voter shall be required to present identification
7 in order to vote and that a voter who fails to present such
8 identification may cast a provisional ballot.>

9 2. By renumbering as necessary.

By OLSON of Polk

H-8228 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8229

1 Amend House File 2252 as follows:
2 1. Page 2, before line 25 by inserting:
3 <Sec. _____. Section 49.78, subsection 2, paragraph a, Code
4 2018, is amended by adding the following new subparagraphs:
5 (5) A voter registration card.
6 (6) An identification card issued by a tribal government.
7 (7) A social security card.
8 (8) A birth certificate.
9 (9) An identification document for receiving public
10 assistance.
11 (10) An electronic benefits transfer card issued to a
12 beneficiary of the federal supplemental nutrition assistance
13 program.
14 (11) A Medicare or Medicaid card.
15 (12) A long-term care identification card.
16 (13) A hunting license.
17 (14) A fishing license.
18 (15) An identification card issued by a college or
19 university.
20 (16) An employee identification card issued by a
21 governmental entity.
22 (17) An identification card issued by an employer.
23 (18) A union membership card.
24 (19) A paycheck.
25 (20) A debit or credit card.
26 (21) A utility bill, whether presented in print or in an
27 electronic format.
28 (22) A form of identification approved by the Iowa state
29 association of county auditors.>
30 2. By renumbering as necessary.

By HUNTER of Polk

H-8229 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8231

1 Amend House File 2252 as follows:

2 1. Page 5, before line 8 by inserting:

3 <Sec. ____ . STATEWIDE VOTER REGISTRATION SYSTEM UPDATE. The
4 state registrar of voters shall, before the next general
5 election, update the statewide voter registration system to
6 correct any missing or inaccurate information.>

7 2. By renumbering as necessary.

By MASCHER of Johnson

H-8231 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8232

1 Amend House File 2252 as follows:

2 1. Page 4, line 35, by striking <transportation> and
3 inserting <transportation, the registered voter's date of
4 birth,>

By HUNTER of Polk

H-8232 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8233

- 1 Amend House File 2252 as follows:
- 2 1. Page 5, before line 8 by inserting:
- 3 <Sec. _____. Section 144.26, subsection 1, paragraph a, Code
- 4 2018, is amended to read as follows:
- 5 a. A death certificate for each death which occurs in this
- 6 state shall be filed as directed by the state registrar within
- 7 three days after the death and prior to final disposition, and
- 8 shall be registered by the county registrar and transmitted to
- 9 the county commissioner of elections if it has been completed
- 10 and filed in accordance with this chapter. A death certificate
- 11 shall include the social security number, if provided, of the
- 12 deceased person. All information including the certifying
- 13 physician's, physician assistant's, or advanced registered
- 14 nurse practitioner's name shall be typewritten.
- 15 Sec. _____. Section 144.26, subsection 3, paragraph b, Code
- 16 2018, is amended to read as follows:
- 17 b. If a decedent died outside of the county of the
- 18 decedent's residence, the state registrar shall send a copy
- 19 of the decedent's death certificate and any amendments to the
- 20 county registrar and the county commissioner of elections of
- 21 the county of the decedent's residence. The county registrar
- 22 shall record a death certificate received pursuant to this
- 23 paragraph in the same records in which the death certificate of
- 24 a decedent who died within the county is recorded. The state
- 25 registrar may provide the county registrars with electronic
- 26 access to vital records in lieu of the requirements of this
- 27 paragraph.>
- 28 2. By renumbering as necessary.

By HUNTER of Polk

H-8233 FILED MARCH 7, 2018

HOUSE FILE 2252

H-8234

1 Amend House File 2252 as follows:

2 1. Page 4, before line 16 by inserting:

3 <Sec. _____. Section 53.8, subsection 1, paragraph a,
4 unnumbered paragraph 1, Code 2018, is amended to read as
5 follows:

6 Upon receipt of an application for an absentee ballot
7 and immediately after the absentee ballots are printed,
8 ~~but not more than twenty-nine days before the election,~~ the
9 commissioner shall mail an absentee ballot to the applicant
10 within twenty-four hours, except as otherwise provided in
11 subsection 3. The absentee ballot shall be sent to the
12 registered voter by one of the following methods:

13 Sec. _____. Section 53.10, subsection 1, Code 2018, is amended
14 to read as follows:

15 1. Not more than ~~twenty-nine~~ forty-five days before the
16 date of the primary election or the general election, the
17 commissioner shall provide facilities for absentee voting in
18 person at the commissioner's office. This service shall also
19 be provided for other elections as soon as the ballots are
20 ready, but in no case shall absentee ballots be available under
21 this section more than ~~twenty-nine~~ forty-five days before an
22 election.>

23 2. Page 5, before line 3 by inserting:

24 <Sec. _____. Section 53.11, subsection 1, paragraph a, Code
25 2018, is amended to read as follows:

26 a. Not more than ~~twenty-nine~~ forty-five days before the
27 date of an election, satellite absentee voting stations may be
28 established throughout the cities and county at the direction
29 of the commissioner and shall be established upon receipt
30 of a petition signed by not less than one hundred eligible
31 electors requesting that a satellite absentee voting station
32 be established at a location to be described on the petition.
33 However, if a special election is scheduled in the county on a
34 date that falls between the date of the regular city election
35 and the date of the city runoff election, the commissioner is

H-8234 (Continued)

1 not required to establish a satellite absentee voting station
2 for the city runoff election.

3 Sec. _____. Section 53.42, Code 2018, is amended to read as
4 follows:

5 **53.42 Voting in person in commissioner's office.**

6 Notwithstanding the provision as to time found in section
7 53.10, any qualified voter in the armed forces of the United
8 States may personally appear in the office of the commissioner
9 of the county of the voter's residence and there vote an absent
10 voter's ballot at any time not earlier than ~~forty~~ forty-five
11 days before the primary or general election, as the case may
12 be.>

13 3. By renumbering as necessary.

By MASCHER of Johnson

H-8234 FILED MARCH 7, 2018

HOUSE FILE 2350

H-8204

1 Amend House File 2350 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 272.2, Code 2018, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 21. Adopt rules pursuant to chapter
7 17A requiring persons holding a license, certificate,
8 authorization, or statement of recognition issued by the board
9 who provide a service to students to undergo one hour of
10 training on suicide awareness and prevention as a condition
11 of renewal of the license, certificate, authorization, or
12 statement of recognition. A person may meet this requirement
13 through independent self-review of training materials approved
14 by the board. The board may adopt rules pursuant to chapter
15 17A providing for waiver or suspension of this requirement for
16 a person who is engaged in active duty in the military or for a
17 person who is not living or practicing in this state.>
18 2. Title page, by striking lines 1 and 2 and inserting <An
19 Act providing for school employee training relating to suicide
20 awareness and prevention.>

By MOORE of Cass

H-8204 FILED MARCH 7, 2018

HOUSE FILE 2372

H-8192

1 Amend the amendment, H-8116, to House File 2372 as follows:

2 1. Page 1, line 11, after <331.207.> by inserting <However,
3 a county with a population of one hundred thousand or more
4 based on the most recent federal decennial census shall not use
5 plan "two" for the election of supervisors.>

6 2. Page 1, after line 11 by inserting:

7 <Sec. _____. TRANSITION PROVISION. Notwithstanding any
8 provision of law to the contrary, a county with a population
9 of one hundred thousand or more based on the most recent
10 federal decennial census that uses plan "two" for the election
11 of supervisors as of the effective date of this Act shall,
12 for elections on or after January 1, 2019, use plan "one" for
13 the election of supervisors unless plan "three" is selected
14 pursuant to a special election as provided in section 331.207.>

15 3. By renumbering as necessary.

By HALL of Woodbury

H-8192 FILED MARCH 7, 2018

HOUSE FILE 2372

H-8193

1 Amend the amendment, H-8116, to House File 2372 as follows:

2 1. Page 1, line 11, after <331.207.> by inserting <However,
3 a county shall not use plan "two" for the election of
4 supervisors.>

5 2. Page 1, after line 11 by inserting:

6 <Sec. _____. TRANSITION PROVISION. Notwithstanding any
7 provision of law to the contrary, a county that uses plan "two"
8 for the election of supervisors as of the effective date of
9 this Act shall, for elections on or after January 1, 2019, use
10 plan "one" for the election of supervisors unless plan "three"
11 is selected pursuant to a special election as provided in
12 section 331.207.>

13 3. By renumbering as necessary.

By NIELSEN of Johnson

H-8193 FILED MARCH 7, 2018

HOUSE FILE 2372

H-8210

1 Amend the amendment, H-8116, to House File 2372 as follows:

2 1. Page 1, line 11, after <331.207.> by inserting <However,
3 a county with a population of sixty thousand or more based on
4 the most recent federal decennial census shall use plan "three"
5 for the election of supervisors.>

6 2. Page 1, after line 11 by inserting:

7 <Sec. _____. TRANSITION PROVISION. Notwithstanding any
8 provision of law to the contrary, a county with a population
9 of sixty thousand or more based on the most recent federal
10 decennial census that does not use plan "three" for the
11 election of supervisors, as defined in section 331.206, as
12 of the effective date of this Act shall not be required to
13 elect supervisors using plan "three" until the election for
14 supervisors following the adoption of a representation plan
15 drawn pursuant to section 331.210A, subsection 2, paragraph
16 "f", after the redistricting of congressional and legislative
17 districts becomes law following the federal decennial census
18 taken in the year 2020.>

19 3. By renumbering as necessary.

By CARLSON of Muscatine

H-8210 FILED MARCH 7, 2018

HOUSE FILE 2372

H-8219

- 1 Amend the amendment, H-8116, to House File 2372 as follows:
- 2 1. Page 1, by striking lines 14 and 15 and inserting:
- 3 <____. Page 2, by striking lines 4 through 6 and inserting
- 4 <"qualifying county" means a county that elects supervisors
- 5 under plan "three">>
- 6 2. By renumbering as necessary.

By CARLSON of Muscatine

H-8219 FILED MARCH 7, 2018

HOUSE FILE 2384

H-8209

1 Amend House File 2384 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 562A.11, subsection 2, Code 2018,
5 is amended by striking the subsection and inserting in lieu
6 thereof the following:

7 2. A provision in a rental agreement prohibited by
8 subsection 1 is unenforceable. If a landlord seeks to enforce
9 the provision or accepts a tenant's voluntary compliance with
10 the provision, the court may award the tenant actual damages
11 sustained by the tenant, reasonable attorney fees, and an
12 amount not to exceed three times the periodic rent.

13 Sec. 2. Section 562B.11, subsection 2, Code 2018, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:

16 2. A provision in a rental agreement prohibited by
17 subsection 1 is unenforceable. If a landlord seeks to enforce
18 the provision or accepts a tenant's voluntary compliance with
19 the provision, the court may award the tenant actual damages
20 sustained by the tenant, reasonable attorney fees, and an
21 amount not to exceed three times the periodic rent.>

By BOSSMAN of Woodbury

H-8209 FILED MARCH 7, 2018

HOUSE FILE 2401

H-8196

1 Amend House File 2401 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. SEX OFFENDER TREATMENT AND SUPERVISION TASK
5 FORCE.

6 1. The division of criminal and juvenile justice planning
7 shall establish a task force to study and make periodic
8 recommendations for treating and supervising sex offenders
9 in correctional institutions and in the community. The task
10 force shall file a report with recommendations with the general
11 assembly by July 1, 2019. The task force shall study the
12 effectiveness of electronic monitoring. The task force shall
13 study risk assessment models created for sex offenders. The
14 task force shall also review this state's efforts and the
15 efforts of other states to implement treatment programs and
16 make recommendations as to the best treatment options available
17 for sex offenders. The task force shall also develop a plan
18 to integrate state government databases for the purpose of
19 updating addresses of persons on the sex offender registry.

20 2. Members of the task force shall include members of
21 the general assembly selected by the legislative council and
22 representatives of the following:

23 a. One representative from the state department of
24 transportation.

25 b. One representative of the Iowa civil liberties union.

26 c. One representative of the department of human services.

27 d. One representative of the department of public safety.

28 e. One representative of the Iowa state sheriffs and
29 deputies association.

30 f. One representative of the Iowa county attorneys
31 association.

32 g. One representative of the department of corrections.

33 h. One representative of the board of parole.

34 i. One representative of a judicial district department of
35 correctional services.

H-8196 (Continued)

- 1 j. One representative of the department of justice.
- 2 k. One representative of the state public defender.
- 3 l. One representative of the Iowa coalition against sexual
- 4 assault.>

By OLSON of Polk

H-8196 FILED MARCH 7, 2018

HOUSE FILE 2401

H-8197

1 Amend the amendment, H-8171, to House File 2401 as follows:

2 1. Page 14, after line 27 by inserting:

3 <DIVISION ____

4 SEX OFFENDER TREATMENT AND SUPERVISION TASK FORCE

5 Sec. _____. SEX OFFENDER TREATMENT AND SUPERVISION TASK
6 FORCE.

7 1. The division of criminal and juvenile justice planning
8 shall establish a task force to study and make periodic
9 recommendations for treating and supervising sex offenders
10 in correctional institutions and in the community. The task
11 force shall file a report with recommendations with the general
12 assembly by July 1, 2019. The task force shall study the
13 effectiveness of electronic monitoring. The task force shall
14 study risk assessment models created for sex offenders. The
15 task force shall also review this state's efforts and the
16 efforts of other states to implement treatment programs and
17 make recommendations as to the best treatment options available
18 for sex offenders. The task force shall also develop a plan
19 to integrate state government databases for the purpose of
20 updating addresses of persons on the sex offender registry.

21 2. Members of the task force shall include members of
22 the general assembly selected by the legislative council and
23 representatives of the following:

24 a. One representative from the state department of
25 transportation.

26 b. One representative of the Iowa civil liberties union.

27 c. One representative of the department of human services.

28 d. One representative of the department of public safety.

29 e. One representative of the Iowa state sheriffs and
30 deputies association.

31 f. One representative of the Iowa county attorneys
32 association.

33 g. One representative of the department of corrections.

34 h. One representative of the board of parole.

35 i. One representative of a judicial district department of

H-8197 (Continued)

1 correctional services.

2 j. One representative of the department of justice.

3 k. One representative of the state public defender.

4 l. One representative of the Iowa coalition against sexual
5 assault.>

6 2. By renumbering as necessary.

By OLSON of Polk

[H-8197](#) FILED MARCH 7, 2018

HOUSE FILE 2401

H-8208

1 Amend the amendment, H-8171, to House File 2401 as follows:

2 1. Page 14, after line 27 by inserting:

3 <DIVISION ____

4 PRESENCE OF SEX OFFENDER — PUBLIC OR NONPUBLIC ELEMENTARY OR
5 SECONDARY SCHOOL

6 Sec. _____. Section 692A.109, subsection 1, paragraph g, Code
7 2018, is amended to read as follows:

8 g. Inform the sex offender ~~who was convicted of a sex~~
9 ~~offense against a minor~~ of the prohibitions established under
10 section 692A.113 by providing the offender with a written
11 copy of section 692A.113 and relevant definitions of section
12 692A.101.

13 Sec. _____. Section 692A.113, subsection 1, paragraph a, Code
14 2018, is amended by striking the paragraph.

15 Sec. _____. Section 692A.113, Code 2018, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 4. A sex offender who has been convicted
18 of a sex offense or a person required to register as a sex
19 offender in another jurisdiction shall not be present upon the
20 real property of a public or nonpublic elementary or secondary
21 school unless any of the following apply:

22 a. (1) The sex offender has written permission of the
23 school administrator or school administrator's designee to
24 be present upon the real property of a public or nonpublic
25 elementary or secondary school.

26 (2) A school administrator or the school administrator's
27 designee shall not unreasonably withhold issuing written
28 permission under this paragraph.

29 b. The sex offender is enrolled as a student at the school.

30 c. The sex offender is the parent or legal guardian of a
31 minor and is present on the real property solely during the
32 period of time reasonably necessary to transport the offender's
33 own minor child or ward to or from the school.

34 d. The sex offender is entitled to vote and is present on
35 the real property solely for the period of time reasonably

H-8208 (Continued)

1 necessary to exercise the right to vote in a public election if
2 the polling location of the offender is located in the school.>
3 2. By renumbering as necessary.

By JONES of Clay
RIZER of Linn

H-8208 FILED MARCH 7, 2018

HOUSE FILE 2430

H-8213

- 1 Amend House File 2430 as follows:
- 2 1. Page 1, line 7, by striking <twenty-five> and inserting
- 3 <thirty>

By FISHER of Tama

H-8213 FILED MARCH 7, 2018

HOUSE FILE 2430

H-8221

- 1 Amend the amendment, H-8213, to House File 2430 as follows:
- 2 1. Page 1, after line 3 by inserting:
- 3 <____. Page 1, line 10, by striking <duties.> and inserting
- 4 <duties, unless the member fails to use an audible signaling
- 5 device meeting the requirements of section 321.433 and a
- 6 visual signaling device authorized under section 321.423 while
- 7 performing the member's official duties from sunrise to sunset,
- 8 or fails to use a visual signaling device authorized under
- 9 section 321.423 while performing the member's official duties
- 10 from sunset to sunrise.>>
- 11 2. By renumbering as necessary.

By OLSON of Polk

H-8221 FILED MARCH 7, 2018

H-8207

1 Amend House File 2434 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 144F.1 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. "*Aftercare assistance*" means any assistance provided
8 by a lay caregiver to a patient following discharge of the
9 patient that are tasks directly related to the patient's
10 condition at the time of discharge, do not require a licensed
11 professional, and are determined to be appropriate by the
12 patient's discharging physician or other licensed health care
13 professional.

14 2. "*Discharge*" means the exit or release of a patient from
15 inpatient care in a hospital to the residence of the patient.

16 3. "*Facility*" means a health care facility as defined in
17 section 135C.1, an elder group home as defined in section
18 231B.1, or an assisted living program as defined in section
19 231C.2.

20 4. "*Hospital*" means a licensed hospital as defined in
21 section 135B.1.

22 5. "*Lay caregiver*" means an individual, eighteen years of
23 age or older, who is designated as a lay caregiver under this
24 chapter by a patient or the patient's legal representative, and
25 who is willing and able to perform aftercare assistance for the
26 patient at the patient's residence following discharge.

27 6. "*Legal representative*" means, in order of priority,
28 an attorney in fact under a durable power of attorney for
29 health care pursuant to chapter 144B or, if no durable power
30 of attorney for health care has been executed pursuant to
31 chapter 144B or if the attorney in fact is unavailable, a legal
32 guardian appointed pursuant to chapter 633.

33 7. "*Patient*" means an individual who is receiving or who has
34 received inpatient medical care in a hospital.

35 8. "*Residence*" means the dwelling that a patient considers

1 to be the patient's home. "*Residence*" does not include any
2 rehabilitation facility, hospital, or facility.

3 Sec. 2. NEW SECTION. **144F.2 Discharge policies —**
4 **opportunity to designate lay caregiver.**

5 1. *a.* A hospital shall adopt and maintain evidence-based
6 discharge policies and procedures. At a minimum, the policies
7 and procedures shall provide for an assessment of the patient's
8 ability for self-care after discharge and, as part of the
9 assessment, shall provide a patient, or if applicable the
10 patient's legal representative, with an opportunity to
11 designate one lay caregiver prior to discharge of the patient.

12 *b.* A legal representative who is an agent under a durable
13 power of attorney for health care pursuant to chapter 144B
14 shall be given the opportunity to designate a lay caregiver
15 in lieu of the patient's designation of a lay caregiver only
16 if, consistent with chapter 144B, in the judgment of the
17 attending physician, the patient is unable to make the health
18 care decision. A legal representative who is a guardian shall
19 be given the opportunity to designate a lay caregiver in lieu
20 of the patient's designation of a lay caregiver to the extent
21 consistent with the powers and duties granted the guardian
22 pursuant to section 633.635.

23 2. If a patient or the patient's legal representative
24 declines to designate a lay caregiver, the hospital shall
25 document the declination in the patient's medical record and
26 the hospital shall be deemed to be in compliance with this
27 section.

28 3. If a patient or the patient's legal representative
29 designates a lay caregiver, the hospital shall do all of the
30 following:

31 *a.* Record in the patient's medical record the designation of
32 the lay caregiver, in accordance with the hospital's policies
33 and procedures, which may include information such as the
34 relationship of the lay caregiver to the patient, and the name,
35 telephone number, and address of the lay caregiver.

1 b. (1) Request written consent from the patient or the
2 patient's legal representative to release medical information
3 to the lay caregiver in accordance with the hospital's
4 established procedures for releasing a patient's personal
5 health information and in compliance with all applicable state
6 and federal laws.

7 (2) If a patient or the patient's legal representative
8 declines to consent to the release of medical information to
9 the lay caregiver, the hospital is not required to provide
10 notice to the lay caregiver under section 144F.3 or to consult
11 with or provide information contained in the patient's
12 discharge plan to the lay caregiver under section 144F.4.

13 4. A patient or the patient's legal representative may
14 change the designation of a lay caregiver if the lay caregiver
15 becomes incapacitated.

16 5. The designation of an individual as a lay caregiver under
17 this section does not obligate the individual to perform any
18 aftercare assistance for the patient.

19 6. This section shall not be construed to require a patient
20 or the patient's legal representative to designate a lay
21 caregiver.

22 Sec. 3. NEW SECTION. **144F.3 Notification of lay caregiver**
23 **of discharge or transfer.**

24 If a lay caregiver is designated under section 144F.2, the
25 hospital shall, in accordance with the hospital's established
26 policies and procedures, attempt to notify the lay caregiver
27 of the discharge of the patient or transfer of the patient to
28 another hospital or facility as soon as practicable.

29 Sec. 4. NEW SECTION. **144F.4 Aftercare assistance**
30 **instructions to lay caregiver.**

31 1. If a lay caregiver is designated under section 144F.2, as
32 soon as practicable prior to discharge of a patient, a hospital
33 shall attempt to do all of the following:

34 a. Consult with the patient's lay caregiver to prepare the
35 lay caregiver for the aftercare assistance the lay caregiver

1 may provide.

2 **b.** Issue a discharge plan that describes the aftercare
3 assistance needs of the patient and offer to provide the lay
4 caregiver with instructions for the aftercare assistance tasks
5 described in the discharge plan and the opportunity for the lay
6 caregiver to ask questions regarding such tasks.

7 2. The inability of a hospital to consult with a patient's
8 lay caregiver shall not interfere with, delay, or otherwise
9 affect the medical care provided to the patient or the
10 patient's discharge.

11 Sec. 5. NEW SECTION. 144F.5 Hospital discharge process —
12 **evidence-based practices.**

13 A hospital's discharge process may incorporate established
14 evidence-based practices, including but not limited to any of
15 the following:

16 1. The standards for accreditation adopted by the joint
17 commission on the accreditation of health care organizations
18 or any other nationally recognized hospital accreditation
19 organization.

20 2. The conditions of participation for hospitals adopted by
21 the centers for Medicare and Medicaid services of the United
22 States department of health and human services.

23 Sec. 6. NEW SECTION. 144F.6 Construction of chapter
24 **relative to other health care directives.**

25 Nothing in this chapter shall be construed to interfere with
26 the authority or responsibilities of an agent operating under
27 a valid durable power of attorney for health care pursuant to
28 chapter 144B or of the powers and duties granted to a guardian
29 pursuant to section 633.635.

30 Sec. 7. NEW SECTION. 144F.7 Limitations.

31 1. Nothing in this chapter shall be construed to create
32 a private right of action against a hospital, a hospital
33 employee, or any consultant or contractor with whom a hospital
34 has a contractual relationship, or to limit or otherwise
35 supersede or replace existing rights or remedies under any

H-8207 (Continued)

1 other provision of law.

2 2. Nothing in this chapter shall delay the appropriate
3 discharge or transfer of a patient.

4 3. Nothing in this chapter shall be construed to interfere
5 with or supersede a health care provider's instructions
6 regarding a Medicare-certified home health agency or any other
7 post-acute care provider.

8 4. Nothing in this chapter shall be construed to grant
9 decision-making authority to a lay caregiver to determine the
10 type of provider or provider of the patient's post-hospital
11 care as specified in the patient's discharge plan.>

By DOLECHECK of Ringgold

H-8207 FILED MARCH 7, 2018

HOUSE FILE 2435

H-8230

- 1 Amend House File 2435 as follows:
- 2 1. Page 2, by striking lines 18 through 24.
- 3 2. Page 3, by striking lines 6 through 16.
- 4 3. Title page, lines 3 and 4, by striking <and supervised
- 5 electronic tracking and monitoring>
- 6 4. By renumbering as necessary.

By NUNN of Polk

H-8230 FILED MARCH 7, 2018

HOUSE FILE 2442

H-8205

- 1 Amend the amendment, H-8186, to House File 2442 as follows:
- 2 1. Page 1, after line 4 by inserting:
- 3 <____. Page 4, lines 31 and 32, by striking <an
- 4 extracurricular interscholastic activity> and inserting <a
- 5 contest>
- 6 _____. Page 4, lines 34 and 35, by striking <extracurricular
- 7 interscholastic activity> and inserting <contest>>
- 8 2. By renumbering as necessary.

By WHEELER of Sioux

H-8205 FILED MARCH 7, 2018

HOUSE FILE 2443

H-8203

1 Amend House File 2443 as follows:
2 1. Page 1, line 3, by striking <section> and inserting
3 <sections 716.7 and>
4 2. Page 1, by striking lines 8 through 12 and inserting
5 <an organized effort to coordinate services for a child
6 who is alleged to have committed a delinquent act, when the
7 organized effort results in the dismissal of a complaint
8 alleging the commission of the delinquent act or results in
9 informally proceeding without a complaint being filed against
10 the child, and which does not result in an informal adjustment
11 agreement involving juvenile court services or the filing of a
12 delinquency petition.>
13 3. Page 8, line 13, after <department> by inserting <,
14 except as necessary for the purpose of administering chapter
15 692A>

By BALTIMORE of Boone

H-8203 FILED MARCH 7, 2018

HOUSE FILE 2462

H-8220

1 Amend House File 2462 as follows:

2 1. By striking page 2, line 35, through page 3, line 3, and
3 inserting:

4 <Sec. _____. MEDICAID PROGRAM ADMINISTRATION.

5 1. PROVIDER PROCESSES AND PROCEDURES.

6 a. When all of the required documents and other information
7 necessary to process a claim have been received by a managed
8 care organization, the managed care organization shall
9 either provide payment to the claimant within the timelines
10 specified in the managed care contract or, if the managed
11 care organization is denying the claim in whole or in part,
12 shall provide notice to the claimant including the reasons for
13 such denial consistent with national industry best practice
14 guidelines.

15 b. If a managed care organization discovers that a claims
16 payment barrier is the result of a managed care organization's
17 identified system configuration error, the managed care
18 organization shall correct such error within ninety days of the
19 discovery of the error and shall fully and accurately reprocess
20 the claims affected by the error within thirty days of such
21 discovery. For the purposes of this paragraph, "configuration
22 error" means an error in provider data, an incorrect fee
23 schedule, or an incorrect claims edit.

24 c. The department of human services shall provide for
25 the development and require the use of standardized Medicaid
26 provider enrollment forms to be used by the department and
27 uniform Medicaid provider credentialing standards to be used
28 by managed care organizations. The credentialing process is
29 deemed to begin when the managed care organization has received
30 all necessary credentialing materials from the provider and is
31 deemed to have ended when written communication is mailed or
32 faxed to the provider notifying the provider of the managed
33 care organization's decision.

34 2. MEMBER SERVICES AND PROCESSES.

35 a. If a Medicaid member prevails in a review by a managed

1 care organization or on appeal regarding the provision
2 of services, the services subject to the review or appeal
3 shall be extended for a period of time determined by the
4 director of human services. However, services shall not be
5 extended if there is a change in the member's condition that
6 warrants a change in services as determined by the member's
7 interdisciplinary team, there is a change in the member's
8 eligibility status as determined by the department of human
9 services, or the member voluntarily withdraws from services.

10 b. If a Medicaid member is receiving court-ordered services
11 or treatment, such services or treatment shall be provided
12 and reimbursed for an initial period of five days before a
13 managed care organization may apply medical necessity criteria
14 to determine the most appropriate services, treatment, or
15 placement for the Medicaid member.

16 c. The department of human services shall review and have
17 approval authority for a Medicaid member's level of care
18 reassessment that indicates a decrease in the level of care.
19 A managed care organization shall comply with the findings of
20 the departmental review and approval of such level of care
21 reassessment. If a level of care reassessment indicates there
22 is no change in a Medicaid member's level of care needs, the
23 Medicaid member's existing level of care shall be continued. A
24 managed care organization shall maintain and make available to
25 the department of human services all documentation relating to
26 a Medicaid member's level of care assessment.

27 d. The department of human services shall maintain and
28 update Medicaid member eligibility files in a timely manner
29 consistent with national industry best practices.

30 3. MEDICAID PROGRAM REVIEW AND OVERSIGHT.

31 a. (1) The department of human services shall facilitate a
32 workgroup, in collaboration with representatives of the managed
33 care organizations and health home providers, to review the
34 health home programs. The review shall include all of the
35 following:

1 (a) An analysis of the state plan amendments applicable to
2 health homes.

3 (b) An analysis of the current health home system, including
4 the rationale for any recommended changes.

5 (c) The development of a clear and consistent delivery
6 model linked to program-determined outcomes and data reporting
7 requirements.

8 (d) A work plan to be used in communicating with
9 stakeholders regarding the administration and operation of the
10 health home programs.

11 (2) The department of human services shall submit a report
12 of the workgroup's findings and recommendations by December
13 15, 2018, to the governor and to the Eighty-eighth General
14 Assembly, 2019 session, for consideration.

15 b. The department of human services, in collaboration
16 with Medicaid providers and managed care organizations, shall
17 initiate a review process to determine the effectiveness of
18 prior authorizations used by the managed care organizations
19 with the goal of making adjustments based on relevant
20 service costs and member outcomes data utilizing existing
21 industry-accepted standards. Prior authorization policies
22 shall comply with existing rules, guidelines, and procedures
23 developed by the centers for Medicare and Medicaid services of
24 the United States department of health and human services.

25 c. The department of human services shall enter into a
26 contract with an independent auditor to perform an audit of
27 small dollar claims paid to or denied Medicaid long-term
28 services and supports providers. The department may take any
29 action specified in the managed care contract relative to
30 any claim the auditor determines to be incorrectly paid or
31 denied, subject to appeal by the managed care organization
32 to the director of human services. For the purposes of this
33 paragraph, "small dollar claims" means those claims less than
34 or equal to two thousand five hundred dollars.>

35 2. By renumbering as necessary.

H-8220 (Continued)

By HEATON of Henry
FRY of Clarke

H-8220 FILED MARCH 7, 2018

HOUSE FILE 2465

H-8201

- 1 Amend House File 2465 as follows:
- 2 1. Page 1, line 18, by striking <thirteen> and inserting
- 3 <twenty>
- 4 2. Page 1, by striking line 20 and inserting:
- 5 <3. Twenty members appointed by the>
- 6 3. Page 1, after line 35 by inserting:
- 7 <n. Iowa state police association.
- 8 o. State police officers council.
- 9 p. Iowa broadcasters association.
- 10 q. Iowa association for justice.
- 11 r. Iowa coalition against sexual assault.
- 12 s. Motorola, inc.
- 13 t. Animal rescue league of Iowa, inc.>

By BALTIMORE of Boone

H-8201 FILED MARCH 7, 2018

HOUSE FILE 2465

H-8217

1 Amend House File 2465 as follows:
2 1. Page 1, line 18, by striking <thirteen> and inserting
3 <nineteen>
4 2. Page 1, line 19, by striking <five> and inserting <six>
5 3. Page 1, by striking line 20 and inserting:
6 <3. Nineteen members appointed by the>
7 4. Page 1, after line 35 by inserting:
8 <n. Iowa state police association.
9 o. State police officers council.
10 p. Iowa broadcasters association.
11 q. Iowa association for justice.
12 r. Iowa coalition against sexual assault.
13 s. Animal rescue league of Iowa, inc.>
14 5. Page 2, after line 8 by inserting:
15 <c. One member representing Motorola, inc., shall serve as
16 an ex officio, nonvoting member and shall provide informational
17 and technical expertise to the task force.>

By BALTIMORE of Boone

H-8217 FILED MARCH 7, 2018

HOUSE FILE 2468

H-8211

1 Amend House File 2468 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 717B.2, unnumbered paragraph 1, Code
5 2018, is amended to read as follows:

6 A person ~~is guilty of~~ commits animal abuse if the person
7 ~~intentionally injures, maims, disfigures, or destroys an animal~~
8 ~~owned by another person, in any manner, including intentionally~~
9 ~~poisoning the animal~~ knowingly or recklessly causes injury or
10 death to an animal by force, violence, or poisoning. A person
11 ~~guilty of~~ who commits animal abuse is guilty of an aggravated
12 misdemeanor. This section shall not apply to any of the
13 following:

14 Sec. 2. Section 717B.2, Code 2018, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 12. A commercial establishment as defined
17 in section 162.2 including a state licensee, registrant, or
18 permittee, provided that the commercial establishment complies
19 with the standard of care applicable to its type pursuant to
20 section 162.10A.

21 Sec. 3. Section 717B.3, subsection 1, unnumbered paragraph
22 1, Code 2018, is amended to read as follows:

23 A person who ~~impounds or~~ owns or has custody of an animal,
24 and confines, in any place, an that animal, ~~is guilty of~~
25 commits animal neglect if the person knowingly or recklessly
26 does any of the following:

27 Sec. 4. Section 717B.3, subsection 3, Code 2018, is amended
28 to read as follows:

29 3. a. A Except as provided in paragraph "b", a person who
30 ~~negligently or intentionally commits the offense of~~ animal
31 neglect is guilty of a simple misdemeanor.

32 b. A person who ~~intentionally commits the offense of~~ animal
33 neglect ~~which~~ that results in serious injury to or the death of
34 an animal is guilty of a serious misdemeanor.

35 Sec. 5. Section 717B.3A, subsection 1, Code 2018, is amended

H-8211 (Continued)

1 to read as follows:

2 1. A person ~~is guilty of~~ commits animal torture, ~~regardless~~
3 ~~of whether the person is the owner of the animal,~~ if the person
4 inflicts upon ~~the~~ an animal severe physical and prolonged or
5 repeated physical pain ~~with a depraved or sadistic intent~~
6 ~~to cause~~ that results in the animal's prolonged or repeated
7 suffering and injury or death.

8 Sec. 6. Section 717B.3A, subsection 2, Code 2018, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. 1. A commercial establishment as defined
11 in section 162.2 including a state licensee, registrant, or
12 permittee, provided that the commercial establishment complies
13 with the standard of care applicable to its type pursuant to
14 section 162.10A.>

15 2. Title page, by striking lines 2 through 4 and inserting
16 <livestock and certain wild animals, and including penalties.>

By SEXTON of Calhoun

H-8211 FILED MARCH 7, 2018

SENATE FILE 220

H-8198

1 Amend the amendment, H-1267, to Senate File 220, as amended,
2 passed, and reprinted by the Senate, as follows:

- 3 1. Page 1, line 19, by striking <2017> and inserting <2018>
4 2. Page 1, line 22, by striking <2017> and inserting <2018>
5 3. Page 1, line 25, by striking <2017> and inserting <2018>

By KAUFMANN of Cedar

H-8198 FILED MARCH 7, 2018

SENATE FILE 475

H-8200

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 11, line 7, after <EDUCATION> by inserting <— WORLD
4 LANGUAGES>

5 2. Page 11, after line 7 by inserting:

6 <Sec. _____. Section 49.13, subsection 6, paragraph a,
7 subparagraph (3), Code 2018, is amended to read as follows:

8 (3) Receive credit in at least four subjects, each of
9 one period or hour, or the equivalent thereof, at all times.
10 The eligible subjects are language arts, social studies,
11 mathematics, science, health, physical education, fine arts,
12 ~~foreign~~ world language, and career and technical education.
13 Coursework taken as a postsecondary enrollment option for
14 which a school district or accredited nonpublic school grants
15 academic credit toward high school graduation shall be used
16 in determining eligibility. A student shall not be denied
17 eligibility if the student's school program deviates from the
18 traditional two-semester school year. Each student wishing
19 to participate under this subsection shall be passing all
20 coursework for which credit is given and shall be making
21 adequate progress toward graduation requirements at the end of
22 each grading period. At the end of a grading period that is the
23 final grading period in a school year, a student who receives
24 a failing grade in any course for which credit is awarded is
25 ineligible to participate under this subsection. A student who
26 is eligible at the close of a semester is academically eligible
27 to participate under this subsection until the beginning of
28 the subsequent semester. A student with a disability who
29 has an individualized education program shall not be denied
30 eligibility to participate under this subsection on the basis
31 of scholarship if the student is making adequate progress,
32 as determined by school officials, towards the goals and
33 objectives of the student's individualized education program.>

34 3. Page 11, after line 28 by inserting:

35 <Sec. _____. Section 256.11, subsection 5, paragraph f, Code

1 2018, is amended to read as follows:

2 *f.* Four sequential units of one foreign world language other
3 ~~than which may include~~ American sign language. ~~Provision of~~
4 ~~instruction in American sign language shall be in addition to~~
5 ~~and not in lieu of provision of instruction in other foreign~~
6 ~~languages.~~ The department may waive the third and fourth years
7 of the foreign world language requirement on an annual basis
8 upon the request of the board of directors of a school district
9 or the authorities in charge of a nonpublic school if the
10 board or authorities are able to prove that a licensed teacher
11 was employed and assigned a schedule that would have allowed
12 students to enroll in a foreign world language class, the
13 foreign world language class was properly scheduled, students
14 were aware that a foreign world language class was scheduled,
15 and no students enrolled in the class.

16 Sec. _____. Section 280.4, subsection 1, Code 2018, is amended
17 to read as follows:

18 1. The medium of instruction in all secular subjects taught
19 in both public and nonpublic schools shall be the English
20 language, except when the use of a foreign world language is
21 deemed appropriate in the teaching of any subject or when the
22 student is limited English proficient. When the student is
23 limited English proficient, both public and nonpublic schools
24 shall provide special instruction, which shall include but
25 need not be limited to either instruction in English as a
26 second language or transitional bilingual instruction until
27 the student is fully English proficient or demonstrates a
28 functional ability to speak, read, write, and understand the
29 English language. As used in this section, "*limited English*
30 *proficient*" means a student's language background is in a
31 language other than English, and the student's proficiency
32 in English is such that the probability of the student's
33 academic success in an English-only classroom is below that
34 of an academically successful peer with an English language
35 background. "*Fully English proficient*" means a student who is

H-8200 (Continued)

1 able to read, understand, write, and speak the English language
2 and to use English to ask questions, to understand teachers
3 and reading materials, to test ideas, and to challenge what is
4 being asked in the classroom.>

5 4. By renumbering, redesignating, and correcting internal
6 references as necessary.

By WESSEL-KROESCHELL of Story

H-8200 FILED MARCH 7, 2018

SENATE FILE 475

H-8216

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 12, after line 24 by inserting:

4 <DIVISION ____

5 BUDGET ADJUSTMENT

6 Sec. _____. Section 257.2, subsection 2, Code 2018, is amended
7 by striking the subsection.

8 Sec. _____. NEW SECTION. 257.14A District cost per pupil
9 equity — budget adjustment.

10 1. The board of directors of a school district with a
11 regular program district cost per pupil that is less than the
12 highest regular program district cost per pupil among all
13 school districts in the state for the same budget year that
14 wishes to receive the budget adjustment under this section
15 may adopt a resolution by May 15 preceding the budget year
16 stating that the board will use funds from its cash reserve for
17 personnel costs and services that directly affect the safety
18 of students, and shall within ten days of adoption of the
19 resolution notify the department of management of the amount of
20 the budget adjustment to be received.

21 2. *a.* For budget years beginning on or after July 1,
22 2018, each school district that satisfies the requirements of
23 subsection 1 shall be eligible for a budget adjustment for that
24 budget year in an amount not to exceed the difference between
25 the school district's regular program district cost per pupil
26 and the highest regular program district cost per pupil among
27 all school districts in the state multiplied by the district's
28 budget enrollment. The resolution adopted under subsection 1
29 may specify a budget adjustment amount that is less than the
30 maximum amount authorized under this paragraph "a".

31 *b.* The school district shall fund the budget adjustment
32 either by using moneys from its unexpended fund balance or by
33 using cash reserve moneys.

34 3. A budget adjustment received under this section shall
35 not affect the eligibility for or amount of any other budget

1 adjustment authorized by law for the same budget year. In
2 addition, a budget adjustment under this section shall be
3 limited to the budget year for which the adjustment was
4 authorized and shall not be included in any computation of a
5 school district's cost for any future budget year.

6 Sec. _____. Section 257.34, Code 2018, is amended to read as
7 follows:

8 **257.34 Cash reserve information.**

9 1. If a school district receives less state school
10 foundation aid under section 257.1 than is due under that
11 section for a base year and the school district uses funds
12 from its cash reserve during the base year to make up for
13 the amount of state aid not paid, the board of directors of
14 the school district shall include in its general fund budget
15 document information about the amount of the cash reserve used
16 to replace state school foundation aid not paid.

17 2. If a school district uses funds from its cash reserve
18 during the base year to fund a budget adjustment under section
19 257.14A, the board of directors of the school district shall
20 include in its general fund budget document information about
21 the amount of the cash reserve used for such purpose.

22 Sec. _____. IMPLEMENTATION. Notwithstanding the deadline
23 for adopting a resolution to approve the budget adjustment
24 in section 257.14A, subsection 1, for the school budget
25 year beginning July 1, 2018, the resolution of the board of
26 directors of a school district shall be approved not later than
27 June 10, 2018.

28 Sec. _____. EFFECTIVE UPON ENACTMENT. This division of this
29 Act, being deemed of immediate importance, take effect upon
30 enactment.>

31 2. Title page, line 5, after <fees> by inserting <and budget
32 adjustments>

33 3. By renumbering, redesignating, and correcting internal
34 references as necessary.

H-8216 (Continued)

By WINCKLER of Scott
KURTH of Scott
THEDE of Scott

H-8216 FILED MARCH 7, 2018

SENATE FILE 481

H-8202

- 1 Amend Senate File 481, as amended, passed, and reprinted by
2 the Senate, as follows:
- 3 1. Page 1, by striking lines 2 through 6 and inserting:
4 <____. "*Immigration detainer request*" means a written federal
5 government request to a local entity to maintain temporary
6 custody of an alien, including a United States department
7 of homeland security form I-247 or a similar or successor
8 form. "*Immigration detainer request*" includes only written
9 federal government requests that are accompanied by any of the
10 following properly completed forms or similar or successor
11 forms, if such forms or similar or successor forms are signed
12 by an authorized United States immigration and customs
13 enforcement officer:
- 14 a. United States department of homeland security form I-200.
15 b. United States department of homeland security form
16 I-205.>
- 17 2. Page 4, line 16, by striking <or a county attorney>
18 3. Page 4, lines 21 and 22, by striking <or county attorney>
19 4. Page 4, lines 24 and 25, by striking <or county attorney>
20 5. Page 4, line 27, by striking <or county attorney>
21 6. Page 4, line 30, by striking <or county attorney>
22 7. Page 4, line 32, by striking <or county attorney>
23 8. Page 5, line 4, by striking <or county attorney>
24 9. Page 5, line 6, by striking <or county attorney>
25 10. Page 5, lines 19 and 20, by striking <or county
26 attorney>
27 11. Page 5, line 33, by striking <or county attorney>
28 12. Page 6, line 33, by striking <or county attorney>
29 13. By renumbering, redesignating, and correcting internal
30 references as necessary.

By COMMITTEE ON PUBLIC SAFETY

BAUDLER of Adair, Chairperson

H-8202 FILED MARCH 7, 2018

SENATE FILE 2099

H-8212

1 Amend Senate File 2099, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 633.3, Code 2018, is amended by adding

4 the following new subsection:

5 NEW SUBSECTION. 30A. *Probate assets* — means a

6 decedent's property subject to administration by a personal

7 representative.>

8 2. Page 1, line 14, by striking <probated> and inserting

9 <~~probated~~ administered>

10 3. Page 1, after line 15 by inserting:

11 <Sec. _____. Section 635.2, subsection 5, Code 2018, is

12 amended to read as follows:

13 5. A statement that the probate ~~property~~ assets of the

14 decedent subject to the jurisdiction of this state does not

15 have an aggregate gross value of more than the amount permitted

16 under the provisions of section 635.1 and the approximate

17 amount of personal property and income for the purposes of

18 setting a bond.>

19 4. Page 1, by striking lines 27 and 28 and inserting:

20 <2. The report and inventory shall ~~show the gross value~~

21 ~~of probate assets subject to the jurisdiction of this state~~

22 separately specify which assets are probate assets subject to

23 the jurisdiction of this state and clearly state their gross

24 value and the sum thereof.>

25 5. Page 1, line 33, by striking <probated> and inserting

26 <~~probated~~ administered>

27 6. Page 1, line 34, by striking <shows> and inserting <~~shows~~

28 separately specifies>

29 7. Page 2, line 5, by striking <statement> and inserting

30 <report>

31 8. Page 2, by striking lines 19 and 20 and inserting

32 <interested parties within a reasonable time ~~from the date of~~

33 ~~issuance of the letters of appointment~~ after the expiration of

34 all times following all notices required in chapter 633. The

35 closing statement>

H-8212 (Continued)

1 9. Page 2, line 32, by striking <of the estate> and
2 inserting <~~of the estate~~ explaining how and to whom the probate
3 assets will be distributed>

4 10. Page 4, line 9, by striking <probate> and inserting
5 <~~probate~~ report and>

6 11. Page 4, by striking lines 23 through 30 and inserting:
7 <Sec. _____. EFFECTIVE DATE. This Act takes effect January
8 1, 2020.

9 Sec. _____. APPLICABILITY. The following applies January 1,
10 2020, to estates opened under chapter 635 or converted from
11 administration under chapter 633 on or after January 1, 2020:

12 The section of this Act amending section 635.1.

13 Sec. _____. APPLICABILITY. The following applies January 1,
14 2020, to estates being probated under chapter 635 on or after
15 January 1, 2020:

16 The sections of this Act amending sections 633.3, 635.2,
17 635.7 and 635.8.>

18 12. Title page, line 2, after <including> by inserting
19 <effective date and>

20 13. By renumbering as necessary.

By GUSTAFSON of Madison

H-8212 FILED MARCH 7, 2018

SENATE FILE 2113

H-8206

1 Amend Senate File 2113, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 256.7, Code 2018, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 33. *a.* For purposes of this subsection:

7 (1) "*Adverse childhood experience*" means the same as defined
8 in section 279.70.

9 (2) "*Postvention*" means the same as defined in section
10 279.70.

11 *b.* Adopt rules to require school districts to adopt
12 protocols for suicide prevention and postvention and the
13 identification of adverse childhood experiences and strategies
14 to mitigate toxic stress response. The protocols shall be
15 based on nationally recognized best practices.

16 Sec. 2. NEW SECTION. 279.70 Training on suicide prevention
17 and identification of adverse childhood experiences and
18 strategies to mitigate toxic stress response.

19 1. For purposes of this section, unless the context
20 otherwise requires:

21 *a.* "*Adverse childhood experience*" means a potentially
22 traumatic event occurring in childhood that can have negative,
23 lasting effects on an individual's health and well-being.

24 *b.* "*Postvention*" means the provision of crisis intervention,
25 support, and assistance for those affected by a suicide or
26 suicide attempt to prevent further risk of suicide.

27 2. By July 1, 2019, the board of directors of a school
28 district shall require annual, evidence-based training at
29 least one hour in length on suicide prevention and postvention
30 for all school personnel who hold a license, certificate,
31 authorization, or statement of recognition issued by the board
32 of educational examiners and who have regular contact with
33 students in kindergarten through grade twelve. The content
34 of the training shall be based on nationally recognized best
35 practices.

1 3. By July 1, 2019, the board of directors of a
2 school district shall require annual, evidence-based,
3 evidence-supported training on the identification of adverse
4 childhood experiences and strategies to mitigate toxic
5 stress response for all school personnel who hold a license,
6 certificate, authorization, or statement of recognition issued
7 by the board of educational examiners and who have regular
8 contact with students in kindergarten through grade twelve.
9 The content of the training shall be based on nationally
10 recognized best practices.

11 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
12 shall not apply to this Act.>

13 2. Title page, by striking lines 1 and 2 and inserting <An
14 Act requiring school employee training and protocols relating
15 to suicide prevention and the identification of adverse
16 childhood experiences and strategies to mitigate toxic stress
17 response.>

By MOORE of Cass

H-8206 FILED MARCH 7, 2018

SENATE FILE 2155

H-8195

1 Amend Senate File 2155, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 12B.10A, subsection 1, paragraph c,
5 Code 2018, is amended to read as follows:

6 c. (1) Operating funds may only be invested in investments
7 which mature within three hundred ninety-seven days or less and
8 which are authorized by law for the investing public entity.

9 (2) Notwithstanding subparagraph (1), a political
10 subdivision which has or expects to accrue in the current
11 budget year an amount of public funds that exceeds operating
12 funds by at least thirty-three percent may invest amounts
13 exceeding thirty-three percent of operating funds in
14 certificates of deposit at federally insured depository
15 institutions approved pursuant to chapter 12C which mature
16 within sixty-three months or less provided that the political
17 subdivision invests an amount reasonably expected to be
18 expended during the current budget year or within fifteen
19 months of receipt in investments pursuant to subparagraph (1).>

20 2. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT

RIZER of Linn, Chairperson

H-8195 FILED MARCH 7, 2018

SENATE FILE 2169

H-8218

1 Amend Senate File 2169, as passed by the Senate, as follows:
2 1. Page 1, after line 30 by inserting:
3 <Sec. _____. Section 123.132, subsection 1, Code 2018, is
4 amended to read as follows:
5 1. The holder of a class "C" beer permit shall be allowed
6 to sell non-refrigerated beer to consumers at retail for
7 consumption off the premises. The sales made pursuant to this
8 section shall be made in original containers except as provided
9 in subsection 2.>
10 2. Title page, by striking lines 1 and 2 and inserting <An
11 Act relating to alcoholic beverage licensees or permittees by
12 limiting the liability of an alcoholic beverage licensee or
13 permittee for certain alcohol-related injuries and restricting
14 the sale of refrigerated beer by certain beer permittees.>

By BAUDLER of Adair

H-8218 FILED MARCH 7, 2018

SENATE FILE 2169

H-8222

- 1 Amend Senate File 2169, as passed by the Senate, as follows:
- 2 1. Page 1, after line 30 by inserting:
- 3 <Sec. _____. Section 123.92, subsection 2, paragraph a, Code
- 4 2018, is amended to read as follows:
- 5 a. Every liquor control licensee, class "B" beer permittee,
- 6 class "C" beer permittee, and class "C" native wine permittee,
- 7 except a class "E" liquor control licensee, shall furnish proof
- 8 of financial responsibility by the existence of a liability
- 9 insurance policy in an amount determined by the division. If
- 10 an insurer provides dramshop liability insurance at a new
- 11 location to a licensee or permittee who has a positive loss
- 12 experience at other locations for which such insurance is
- 13 provided by the insurer, and the insurer bases premium rates at
- 14 the new location on the negative loss history of the previous
- 15 licensee or permittee at that location, the insurer shall
- 16 examine and consider adjusting the premium for the new location
- 17 not less than thirty months after the insurance is issued,
- 18 based on the loss experience of the licensee or permittee at
- 19 that location during that thirty-month period of time.>
- 20 2. Title page, line 2, after <injuries> by inserting <and
- 21 requiring certain permittees to obtain liability insurance>
- 22 3. By renumbering as necessary.

By MEYER of Polk

H-8222 FILED MARCH 7, 2018

SENATE FILE 2169

H-8223

1 Amend the amendment, H-8184, to Senate File 2169, as passed
2 by the Senate, as follows:

3 1. Page 1, by striking lines 2 through 6 and inserting:
4 <____. Page 1, line 7, by striking <up to the amount
5 specified in paragraph "c" or "d",>
6 _____. Page 1, by striking lines 22 through 30.>

By MEYER of Polk

H-8223 FILED MARCH 7, 2018

SENATE FILE 2200

H-8215

- 1 Amend Senate File 2200, as passed by the Senate, as follows:
- 2 1. Page 3, line 3, by striking <commerce> and inserting
- 3 <commerce, except as permitted under Title 38 of the United
- 4 States Code>

By BAXTER of Hancock

H-8215 FILED MARCH 7, 2018

SENATE FILE 2306

H-8194

1 Amend Senate File 2306, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 3, by striking <Beginning September> and
4 inserting:

5 <1. Beginning May>

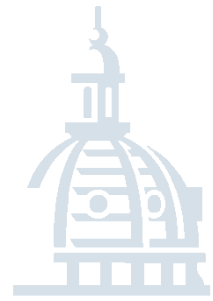
6 2. Page 1, after line 17 by inserting:

7 <2. This section is repealed upon the implementation of a
8 system that electronically analyzes amendments to disclosure
9 reports and sends electronic notifications of such amendments
10 to candidates who register to receive such notifications. The
11 board shall notify the Iowa Code editor upon the occurrence of
12 this condition.>

By COMMITTEE ON STATE GOVERNMENT

RIZER of Linn, Chairperson

H-8194 FILED MARCH 7, 2018



HF 2446 – Utilities Board, Statutory Changes (LSB5328HV)
Analyst: Angel Banks-Adams (515.281.6301) angel.banks-adams@legis.iowa.gov
Fiscal Note Version – As Amended and Passed By the House

Description

[House File 2446](#) makes the following changes:

- Appoints a Chief Operating Officer, instead of an Executive Secretary, to manage the operations of the Iowa Utilities Board.
- Gives the Iowa Utilities Board the authority to allocate and charge fees that are attributable to its duties to a person subject to inspection by the Board.
- Requires telecommunications service providers offering communications service telephone numbers to retail customers to register annually with the Iowa Utilities Board. In the event that providers fail to comply, a civil penalty will be assessed. This change gives the Board the authority to charge a fee that would be set by Board rule.
- Authorizes the Board to charge all telecommunications carrier types a uniform monthly rate of \$0.03 per line.
- Repeals the established intrastate pipeline inspection fee of \$0.50 for each mile of natural gas pipeline and directs the Board to charge pipeline companies with annual inspection fees directly attributable to the costs of conducting inspections.

Background

Dual Party Relay Service

The Dual Party Relay Service (DPRS) Fund is used for the Iowa telecommunications relay service and the Equipment Distribution Program. All telecommunications carriers are required to contribute to the Fund. Under current law, the DPRS assessment program charges wireless telecommunications carriers \$0.03 per line per month. All other carrier types, including wireline and alternative operator service providers, are charged varying amounts.

Intrastate Pipeline Inspection Fee

Under [199 IAC 10](#), the Iowa Utilities Board's jurisdiction includes the inspection of intrastate natural gas pipelines on behalf of the federal Department of Transportation's Pipeline and Hazardous Materials Safety Administration. The Board has the authority to charge pipeline companies an annual inspection fee directly attributable to the costs of conducting the annual inspections.

The Bill also prohibits a local exchange telecommunications carrier from imposing restrictions on the resale of local exchange services, functions, or capabilities. The Board is given the authority to prohibit residential service from being resold as a different class of service.

Assumptions

- The current intrastate pipeline inspection fee of \$0.50 for each mile of natural gas pipeline will be waived or reduced by an amount that is undetermined at this time.
- The Board will charge all telecommunications carriers a uniform monthly rate of \$0.03 for each line.

Fiscal Impact

The fiscal impact of [HF 2446](#) to the Commerce Revolving Fund is a reduction of approximately \$65,000 due to the repeal of the intrastate pipeline inspection fee.

The fiscal impact of assessing all telecommunications carriers a uniform monthly rate of \$0.03 for each line is estimated to yield an increase of \$200,000 in contributions from telecommunications carriers to the DPRS Fund. Fee revenue will be used to cover program expenses.

Sources

Iowa Utilities Board
State Accounting System data

/s/ Holly M. Lyons

March 7, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
